REMARKS

Claims 1, 2, 8, 9, 11-24, and 26-44 are all the claims currently pending in this Application. Claims 15-24, 26-32, and 34-44 are withdrawn pursuant to the Response to Restriction filed on April 20, 2007.

Claims 1, 2, 8, 9, 11-14, and 33 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Sakuma (U.S. Patent 6,201,634). Applicants respectfully traverse this rejection.

Applicants submit that Sakuma fails to teach at least the claim recitations: "wherein the optical axis points at least approximately in the direction of the <110> crystal axis of the crystal or a main crystal axis equivalent thereto; and wherein the retardation element is a lens element with a positive or negative refracting power."

Regarding this limitation, the Examiner refers to col. 13, lines 25-30 of Sakuma as teaching a retardation element in the form of a lens having a <110> crystal axis. However, Applicants submit that Sakuma actually teaches away from the above-recited limitation.

Sakuma describes, in table 3, measured values of birefringence for three types of fluoride crystals in three axial orientations: <100>, <110>, and <111>. Col. 13, lines 8-17 describes that these values result from measurements performed on disk-formed bodies with diameters of 150 mm and thicknesses of 20 mm, cut from blocks of calcium fluoride, strontium fluoride, and barium fluoride, respectively. Col. 13, lines 25-30 describes that lenses with a curvature can be obtained by working the precursor blocks of calcium fluoride, strontium fluoride, and barium fluoride into lens shapes: "in this case is goes without saying that working is performed so that

the direction of the <111> axis of the precursor coincides (or substantially coincides) with the direction of the optical axis."

Thus, Sakuma specifically teaches away from the claimed invention. As is evident from table 3 of Sakuma, the <111> orientation has the lowest value of intrinsic birefringence for all directions, and among the materials that were measured. Thus, Sakuma teaches that birefringence is *avoided.*

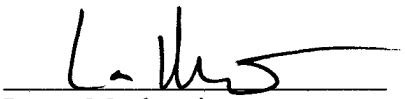
In contrast, claim 1 specifically requires that the <110> axis is substantially in the same direction as the optical axis of the lens. The <110> axis has the largest birefringence values. Therefore, this clearly contradicts the teachings of Sakuma.

Therefore, Applicants submit that claim 1 is patentable over Sakuma and that claims 2, 8, 9, 11-14 and 33 are patentable at least by virtue of their dependence. Applicants respectfully request that the rejection of these claims be reconsidered and withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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